



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

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Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

October 26, 2015

Mr. Wagner Ramsey
Plant Manager
Ball Metal Beverage Container Corporation
8935 Pocahontas Trail
Williamsburg, Virginia 23185-6249

Location: Williamsburg
Registration No.: 60065

Dear Mr. Ramsey:

Attached is a permit to operate the Ball Metal Beverage Container Corporation facility pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution. This permit incorporates provisions from the New Source Review permit dated August 17, 2010.

The permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all permit conditions carefully.

In evaluating the application and arriving at a final decision to issue this permit, the Department deemed the application complete on July 10, 2015 and solicited written public comments by placing a newspaper advertisement in the Daily Press on Tuesday, September 8, 2015. The thirty day comment period (provided for in 9 VAC 5-80-270) expired on Thursday, October 8, 2015, with no comments having been received in this office.

This approval to operate does not relieve Ball Metal Beverage Container Corporation of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9 VAC 5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

David K. Paylor, Director
Department of Environmental Quality
PO Box 1105
Richmond, VA 23218-1105

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Rule 2A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

If you have any questions concerning this permit, please contact Troy D. Breathwaite by phone at (757) 518-2006 or by e-mail at troy.breathwaite@deq.virginia.gov.

Sincerely,



Troy D. Breathwaite
Regional Air Permits Manager

TDB/60065_013_15_CoverLtr_T5Renewal_BallMetal.docx

Attachment: Permit

cc: Manager, Data Analysis (electronic file submission)
Manager/Inspector, Air Compliance
Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III (electronic file submission)



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Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Ball Metal Beverage Container Corporation
Facility Name: Ball Metal Beverage Container Corporation
Facility Location: James River Commerce Center
8935 Pocahontas Trail
Williamsburg, Virginia

Registration Number: 60065
Permit Number: TRO-60065

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Pages 7 through 26)


State Only Enforceable Requirements (Page 27)

December 8, 2015

Effective Date

December 7, 2020

Expiration Date


Regional Director

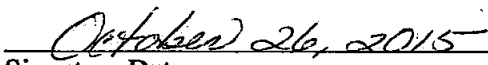

Signature Date

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I. Facility Information

Permittee

Ball Metal Beverage Container Corporation
9300 W. 108th Circle
Broomfield, Colorado 80021-3682

Responsible Official

Wagner Ramsey
Plant Manager
(757) 888-1640

Facility

Ball Metal Beverage Container Corporation
James River Commerce Center
8935 Pocahontas Trail
Williamsburg, Virginia 23185

Contact Person

Bob Hall
Support Engineer
(303) 460-5445
rmhall@ball.com

County-Plant Identification Number: 51-095-00008

Facility Description: NAICS 332431/SIC 3411 - Metal Can Manufacturing

This facility manufactures aluminum beverage cans (not final product).

Process Description:

Ball Metal Beverage Container Corp. operates four can lines designated as Line 2, Line 3, Line 4, and Line 5. The can line emission points include the internal coating process, the decorator process, and the basecoater process.

Can Manufacturing Process: The can manufacturing process begins by feeding a continuous aluminum sheet into a cupping press. The cupper forms the aluminum into short cups that are extruded into formed cans in the bodymakers. Cans are conveyed to a can washer to remove any lubricant used in the cupping and bodymaker processes and then to a drying oven. A small amount of sulfuric acid emissions are emitted from the washers; however, these emissions are considered insignificant. Hot water boilers are used to heat the water used to wash the cans. No emissions of criteria or hazardous air pollutants are associated with these processes other than the natural gas combustion emissions from the washer ovens and hot water boilers. **Note:** The plant's ovens use natural gas as the main fuel source; however, the plant operates an on-site propane fuel system in emergency situations.

From the can washers, cans are fed to the basecoater where the can exterior is coated with basecoat. The exterior coating is then cured in the basecoater ovens. Air emissions from the basecoater process are exhausted through the basecoater oven stacks.

An ultraviolet (UV) bottom coater and associated UV light curing oven are installed on Line 2, immediately following the washer. Cans are carried to the bottom coater where the rim on the bottom of each can is coated and then cured with UV light. The cans are then conveyed to the decorator or basecoater operation. An exemption letter was issued for this process on August 31, 2005.

From the basecoater ovens, cans are fed to printers, where thermally cured inks and water-based overvarnish are applied to the cans. Bottom coating is then applied to the cans prior to entering the decorator oven. Air emissions from the decorator process are exhausted through the decorator oven stacks.

After the decorated cans are cured, the cans are conveyed to the internal coating process where a thin layer of water-based, thermally cured coating is applied to the inside of the cans. Overspray emissions from this process are exhausted through a dedicated overspray stack. The cans also receive a small ink identification dot on the outside bottom of the cans while in the spray machine pocket for quality assurance purposes. The coated cans are then cured in natural gas-fired curing ovens. Criteria and hazardous air pollutants from the internal coating process are exhausted out of the overspray and curing oven stacks.

Cans exiting the internal coating ovens are conveyed to a waxer that applies a thin coat of lubricant to the outside top edge of the can in preparation for necking. This lubricant does not contain VOCs. The necker then reduces the diameter of the can opening while the necker and flanger roll back the top edge of the can to form a lip for attaching the can end or lid. The reprofiler makes final adjustments to the bottom of the can. Finished cans are palletized for shipment or storage. There are no air emissions associated with the waxing, necking, reprofiling, or palletizing processes.

Re-spray Process: The facility occasionally manufactures cans which have inside metal exposure, meaning the cans received an insufficient amount of internal coating. The defective cans are palletized and stored until they can be reprocessed at a later date. The facility performs re-spray operations on the defective cans using a reduced amount of internal coating. The re-sprayed cans are cured in the re-spray curing oven. The emissions from internal coating re-spray are accounted for in the material usage/emission reports.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
Emergency Generator							
EG		Kohler Natural Gas Emergency Generator, Model 38RCL Manufacture Date: 12/2013 Installation Date: 5/2014	39 kW (75 hp)				12/18/2014 (Exemption Letter)
Inside Spray Coating Operation							
01	S010, S011, S020, S021, S022, S023, S024, S027, S028, S029, S030	Lines 2-5 Internal Coating Operations (including respray line)	84.2 gallons coating/hr				8/17/2010
01		Line 2 Internal Coating Oven	5.2 million Btu/hr				
01		Line 3 Internal Coating Oven	7.5 million Btu/hr				
01		Line 4/5 Combined Internal Coating Oven	10.0 million Btu/hr				
01/02		Internal Coating Respray Oven	2.4 million Btu/hr				
Overvarnish Coating Operation							
02	S06, S019, S035, S036, S037, S038	Lines 2-5 Overvarnish Rim Coating Operations	32.8 gallons coating/hr				8/17/2010
02		Line 2 Decorator and Oven	5.0 million Btu/hr				
02		Line 3 Decorator and Oven	5.0 million Btu/hr				

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
02		Line 4 Decorator and Oven	7.0 million Btu/hr				
02		Line 5 Decorator and Oven	7.0 million Btu/hr				
02		UV Bottom Coater and Associated UV Light Curing Tunnel	0.15 gallons coating/hr				8/31/2005 (Exemption Letter)
Exterior Base Coating Operation							
03	S016, S017, S033, S034	Lines 2 and 4 Base Coating Operations	20.7 gallons coating/hr				8/17/2010
03		Line 2 Basecoat Oven	5.0 million Btu/hr				
03		Line 4 Basecoat Oven	6.0 million Btu/hr				
General Plant and Parts Cleaning Operations							
04		Parts cleaning machines (small dip tanks), general wipe cleaning, and video jet.	4,050 gallons/yr				
Can Marking Identification System							
05		Can Marking System	0.08 gallons/million cans (0.03 gallons coating/hr)				8/17/2010

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Natural Gas Emergency Generator Requirements (Emission Unit ID No. EG)

A. Limitations

1. **Natural Gas Emergency Generator Requirements - (EG) - Limitations - Hours of Operation** - The natural gas emergency generator shall be used only for providing power at the location during interruption of service from the normal power supplier, periodic maintenance checks and readiness testing, and operational training. The generator shall not exceed 500 hours per year of operation, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
(9 VAC 5-80-110 and 40 CFR 60.4243(d))
2. **Natural Gas Emergency Generator Requirements - (EG) - Limitations - MACT Subpart ZZZZ** - The permittee shall comply with the applicable requirements of 40 CFR 63 Subpart ZZZZ (National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines). Per 40 CFR 63.6590(c)(1), the permittee shall meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR 60 Subpart JJJJ. No further requirements apply under 40 CFR 63 Subpart ZZZZ.
(9 VAC 5-80-110, 9 VAC 5-60-90, 9 VAC 5-60-100, and 40 CFR 63.6590(c)(1))
3. **Natural Gas Emergency Generator Requirements - Limitations - NSPS, Subpart JJJJ** - The permittee shall comply with the applicable requirements of 40 CFR 60, Subpart JJJJ (Standards of Performance for Stationary Spark Ignition Internal Combustion Engines) as follows:
 - a. The permittee shall comply with the applicable emissions standards in 40 CFR 60.4233 (Table 1 to 40 CFR 60, Subpart JJJJ for emergency engines greater than 25 HP (19 kW) and less than 130 HP (97 kW)).
 - b. The permittee shall comply with the applicable monitoring requirements in 40 CFR 60.4237. The emergency generator must be equipped with a non-resettable hour meter prior to startup of the engine.
 - c. The permittee shall comply with the applicable compliance requirements in 40 CFR 60.4243.

The emergency stationary ICE must be operated according to the requirements in §60.4243(d)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60 Subpart JJJJ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in §60.4243(d)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in §60.4243(d)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

As outlined in §60.4243(e), owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use.
 - d. The permittee shall comply with the applicable notification, reporting, and recordkeeping requirements in 40 CFR 60.4245.
 - e. The permittee shall comply with the applicable requirements of the General Provisions as outlined in Table 3 to 40 CFR 60, Subpart JJJJ.

The permittee shall refer to the most current version of the applicable regulation for additional or revised requirements not included in this permit.

(9 VAC 5-80-110, 9 VAC 5-50-400, 9 VAC 5-50-410, 40 CFR 60.4233, 60.4237, 60.4243, 60.4244, 60.4245, and 60.4246)

B. Recordkeeping

4. **Natural Gas Emergency Generator Requirements - (EG) - Recordkeeping** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:

- a. Annual hours of operation of the natural gas emergency generator, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50 and 9 VAC 5-80-110)

IV. Fuel Burning Equipment Requirements (Line 4/5 Combined Internal Coating Oven)**C. Limitations****5. Fuel Burning Equipment Requirements - (Line 4/5 Combined Internal Coating Oven) - Limitations -**

Fuel - The approved fuel for the Line 4/5 combined internal coating oven is natural gas and/or propane. A change in the fuels may require a permit to modify and operate.

(9 VAC 5-80-110)

6. Fuel Burning Equipment Requirements - (Line 4/5 Combined Internal Coating Oven) - Limitations -

Emission Limits - No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any gaseous products of combustion containing particulate emissions in excess of the following limits:

PM	(for the installation)	0.60 lb/million Btu input
	(for the Line 4/5 combined internal coating oven)	6.0 lbs/hr

For fuel burning equipment installations with total capacity between 10 million and 10 billion Btu per hour, the maximum allowable emission ratio, E, in pounds of particulate per million Btu input, shall be determined by the following equation: $E = 1.0906H^{-0.2594}$, where H is the total capacity in millions of Btu per hour. The maximum allowable particulate emissions for each fuel burning equipment unit shall be the product of the rated capacity and the emission ratio.

(9 VAC 5-80-110 and 9 VAC 5-40-900)

7. Fuel Burning Equipment Requirements - (Line 4/5 Combined Internal Coating Oven) - Limitations -

Emission Limits - No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any sulfur dioxide emissions in excess of the following limit:

SO ₂	26.4 lbs/hr
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The maximum emissions shall be determined by the following equation: $S = 2.64K$, where S = allowable emissions of sulfur dioxide expressed in pounds per hour, and K = heat input at total capacity expressed in million Btu per hour.

(9 VAC 5-80-110 and 9 VAC 5-40-930)

8. Fuel Burning Equipment Requirements - (Line 4/5 Combined Internal Coating Oven) - Limitations -

Visible Emission Limit - No owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than twenty (20) percent opacity, except for one six-minute period in any one hour of not more than thirty (30) percent opacity. Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation. The opacity standard (visible emission standard) shall apply at all times except during periods of startup, shutdown and malfunction.

(9 VAC 5-80-110, 9 VAC 5-50-20, and 9 VAC 5-50-80)

9. **Fuel Burning Equipment Requirements -- (Line 4/5 Combined Internal Coating Oven) - Limitations - Maintenance/Operating Procedures** - At all times, including periods of startup, shutdown, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Virginia Department of Environmental Quality, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9 VAC 5-80-110 and 9 VAC 5-50-20 E)

D. Recordkeeping

10. **Fuel Burning Equipment Requirements - (Line 4/5 Combined Internal Coating Oven) - Recordkeeping**
- The permittee shall maintain records of emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
- a. DEQ-approved, pollutant-specific emission factors and equations used for actual emissions calculations. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-110 and 9 VAC 5-50-50)

V. Process Equipment Requirements (Emission Unit ID Nos. 01, 02, 03 and 05)

A. Limitations

- 11. Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - VOC Emission Controls -**
Volatile organic compounds shall not be intentionally spilled, discarded to sewers, stored in open containers, or handled in any other manner that would result in evaporation beyond that consistent with air pollution control practices for minimizing emissions.
(9 VAC 5-80-110 and Condition 3 of the NSR/NSPS permit issued August 17, 2010)
- 12. Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - Plantwide Emission Limits -**
Total emissions from the internal coating, overvarnish coating, and base coating operations shall not exceed the limits specified below:

Volatile Organic Compounds 174.9 lbs/hr 451.7 tons/yr

(9 VAC 5-80-110 and Condition 4 of the NSR/NSPS permit issued August 17, 2010)
- 13. Process Equipment Requirements - (03 and 05) - Limitations - Emission Limits - Exterior White Base Coating Operations -** Emissions from the operation of each exterior white base coating operation shall not exceed the limits specified below:

Volatile Organic Compounds 0.29 kilogram of VOC per liter of coating solids

(9 VAC 5-80-110, 9 VAC 5-50-400, 9 VAC 5-50-410, and Condition 5 of the NSR/NSPS permit issued August 17, 2010)
- 14. Process Equipment Requirements - (02 and 05) - Limitations - Emission Limits - Overvarnish/Clear Base Coating Operations -** Emissions from the operation of each overvarnish or clear base coat (size coat) operation shall not exceed the limits specified below:

Volatile Organic Compounds 0.46 kilogram of VOC per liter of coating solids

(9 VAC 5-80-110, 9 VAC 5-50-400, 9 VAC 5-50-410, and Condition 6 of the NSR/NSPS permit issued August 17, 2010)
- 15. Process Equipment Requirements - (01, 02, and 05) - Limitations - Emission Limits - Internal Coating Operations -** Emissions from the operation of each internal coating operation shall not exceed the limits specified below:

Volatile Organic Compounds 0.89 kilogram of VOC per liter of coating solids

(9 VAC 5-80-110, 9 VAC 5-50-400, 9 VAC 5-50-410, and Condition 7 of the NSR/NSPS permit issued August 17, 2010)
- 16. Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - Requirements by Reference -**
Except where this permit is more restrictive than the applicable requirement, the NSPS equipment shall be operated in compliance with the requirements of 40 CFR 60 Subpart WW.
(9 VAC 5-80-110, 9 VAC 5-50-400, 9 VAC 5-50-410, and Condition 8 of the NSR/NSPS permit issued August 17, 2010)

17. **Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - Visible Emissions - Visible Emissions** from each stack shall not exceed twenty (20) percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity.
(9 VAC 5-50-80 and 9 VAC 5-80-110)
18. **Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - Particulate Emissions - No owner or other person shall cause or permit to be discharged into the atmosphere from any process unit any particulate emissions in excess of the limits in Table 4-4A, 9 VAC 5-40-260.**
(9 VAC 5-40-260 and 9 VAC 5-80-110)
19. **Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - Particulate Emissions - The total process weight rate for each individual process unit at a plant or premises shall be used for determining the maximum allowable emission rate of particulate that passes through a stack or stacks.**
(9 VAC 5-40-260, 9 VAC 5-40-22, and 9 VAC 5-80-110)
20. **Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - Particulate Emissions - Unless otherwise specified, the allowable particulate mass emission rate shall be determined for individual units of equipment.**
(9 VAC 5-40-260, 9 VAC 5-40-22, and 9 VAC 5-80-110)
21. **Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - Particulate Emissions - The particulate emission limit above the maximum process weight rate shall be determined by linear interpolation. For interpolation between two values on a process weight rate table the following equation should be used:**

$$E = [E_G - E_L] \left[\frac{P - P_L}{P_G - P_L} \right] + E_L$$

where:

E = emission rate being calculated

E_L = emission rate for P_L as determined from the process weight rate table

E_G = emission rate for P_G as determined from the process weight rate table

P = process weight rate of the unit

P_L = process weight rate in the process weight rate table which is closest to but less than the process weight rate of the unit

P_G = process weight rate listed in the process weight rate table which is closest to but greater than the process weight rate of the unit

(9 VAC 5-40-260, 9 VAC 5-40-22, and 9 VAC 5-80-110)

22. **Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - Particulate Emissions - Where the nature of any process or design of any equipment is such as to permit more than one interpretation of a regulation, the interpretation that results in the minimum value for allowable emissions shall apply.**
(9 VAC 5-40-260, 9 VAC 5-40-22, and 9 VAC 5-80-110)
23. **Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - Particulate Emissions - Interpolation of the data in 9 VAC 5-40-260 A (Table 4-4A) for process weight rates up to 60,000 lb/hr shall be accomplished by use of the following equation:**

$$E = 4.10P^{0.67}$$

where:

E = emission rate in lb/hr

P = process weight rate in tons/hr

(9 VAC 5-40-260 C and 9 VAC 5-80-110)

24. **Process Equipment Requirements - (01, 02, 03, and 05) - Limitations - Particulate Emissions -** Interpolation and extrapolation of the data for process weight rates in excess of 60,000 lb/hr shall be accomplished by use of the following equation:

$$E = 55.0P^{0.11} - 40$$

where:

E = emission rate in lb/hr

P = process weight rate in tons/hr

(9 VAC 5-40-260 D and 9 VAC 5-80-110)

B. Continuing Compliance Determination

25. **Process Equipment Requirements - (01, 02, 03, and 05) - Continuing Compliance Determination - Performance Evaluations -** Monthly performance tests to determine the volume-weighted average of the total mass of VOC per volume of coating solids used shall be conducted in accordance with 40 CFR 60.493. Reports of performance test results shall be in accordance with 40 CFR 60.495. One copy of each test report shall be submitted to the Director, Tidewater Regional Office and shall be postmarked by the 30th day following the end of the reporting period.
(9 VAC 5-80-110, 9 VAC 5-50-400, 9 VAC 5-50-410, 40 CFR 60.493(b), and Condition 9 of the NSR/NSPS permit issued August 17, 2010)

C. Recordkeeping

26. **Process Equipment Requirements - (01, 02, 03, and 05) - Recordkeeping - On-Site Records -** The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
- a. An operating log of coating, ink, and clean-up solvent consumption. This log shall be maintained in a manner sufficient to calculate total monthly and annual emissions of Volatile Organic Compounds. Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - (a) Records of all data and calculations used in the monthly performance tests to determine the volume-weighted average of the total mass of VOC per volume of coating solids used, as required by 40 CFR 60.495(d).

The details and format of the operating log and calculations shall be arranged with the Director, Tidewater Regional Office. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-50-400, 9 VAC 5-50-410, 9 VAC 5-80-110, and Condition 11 of the NSR/NSPS permit issued August 17, 2010)

VI. Parts Cleaning Requirements (Emission Unit ID No. 04)

A. Limitations

27. Parts Cleaning Requirements - (04) - Limitations - Rule 4-24 - Vapor control shall be implemented for each cold cleaner to remove, destroy, or prevent the discharge into the atmosphere of at least 85% by weight of volatile organic compound emissions. Achievement of the 85% vapor control shall be accomplished by the following:

- a. Covers or enclosed remote reservoirs;
- b. Drainage facilities to collect and return solvent to a closed container or a solvent cleaning machine;
- c. A permanent label, summarizing the operating procedures in 9 VAC 5-40-3290 C (2)(a-c) on/near the cold cleaning units; and
- d. If used, the solvent spray shall be a solid, fluid stream (not a fine, atomized or shower type spray) and at a pressure which does not cause excessive splashing.

(9 VAC 5-40-3280 C(1) and C(2), 9 VAC 5-40-3290 (C) and (D), and 9 VAC 5-80-110)

28. Parts Cleaning Requirements - (04) - Limitations - Rule 4-24 - The following operating procedures for the cold cleaning units shall be followed:

- a. Waste solvent shall not be disposed of or transferred to another party, such that greater than 20% of the waste (by weight) can evaporate to the atmosphere. Waste solvent shall be stored in closed containers only.
- b. The cold cleaning unit cover shall be closed whenever not handling parts in the cold cleaner.
- c. Cleaned parts shall drain for at least 15 seconds or until dripping ceases.

(9 VAC 5-40-3290 C(2)(a-c) and 9 VAC 5-80-110)

29. Parts Cleaning Requirements - (04) - Limitations - Rule 4-24 - Disposal of waste solvent from the cold cleaning units shall be by one of the following methods:

- a. Reclamation (either by outside services or in-house), or
- b. Incineration (by outside services).

(9 VAC 5-40-3290 D and 9 VAC 5-80-110)

B. Monitoring

30. Parts Cleaning Requirements - (04) - Monitoring - Rule 4-24 - Each degreasing unit shall be inspected at least once per calendar year to ensure that the following requirements are met:

- a. The label with the operating procedures is placed on or near each degreasing unit;
- b. Each degreasing unit has a cover or enclosed remote reservoir; and
- c. Waste solvent from each degreasing unit is being stored in closed containers.

(9 VAC 5-40-3280 C(1) and C(2), 9 VAC 5-40-3290 (C) and (D), and 9 VAC 5-80-110)

C. Recordkeeping

31. Parts Cleaning Requirements - (04) - Recordkeeping - Rule 4-24 - The permittee shall maintain records of:

- a. Annual inspection results and any corrective actions taken; and
- b. Methods of waste solvent disposal used.

These records shall be available at the facility for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-80-110)

VII. Facility Wide Requirements

A. Limitations

- 32. Facility Wide Requirements - (All Units) - Limitations - Plantwide Emission Limits - Hazardous Air Pollutants (HAPs)** from the beverage can manufacturing facility shall be limited to less than 10 tons of any single HAP and less than 25 tons for the total of all HAPs. Emissions shall be calculated monthly, based upon the sum of each consecutive 12-month period. If the expected or actual emissions of any individual HAP exceed the hourly or annual exemption levels of the pollutants listed in Attachment A to this permit, Ball Metal Beverage Container Corporation shall notify the Department of Environmental Quality, Tidewater Regional Office, within 5 working days of identification of the exceedance.
(9 VAC 5-80-100 and 9 VAC 5-80-110)

B. Recordkeeping

- 33. Facility Wide Requirements - (All Units) - Recordkeeping - On-Site Records -** The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
- a. The tons/yr emissions of each individual HAP and the tons/yr emissions of all HAPs, combined, both calculated monthly as the sum of each consecutive 12-month period, to ensure compliance with the limits in Condition 32 above. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50 and 9 VAC 5-80-110)

C. Testing

- 34. Facility Wide Requirements - (All Units) - Testing -** The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-80-110)
- 35. Facility Wide Requirements - (All Units) - Testing -** If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.
(9 VAC 5-80-110)

VIII. Insignificant Emission Units

36. **Insignificant Emission Units** - The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
B1	UNILUX hot water boiler, Model ZF400W Manufactured: 2014 Installed: 3/2015	9 VAC 5-80-720 C		4.3 MMBtu/hr
	UNILUX hot water boiler, Model ZF1000W Manufactured: 2007 Installed: 5/2015	9 VAC 5-80-720 C		9.99 MMBtu/hr
W02	Line 2 Washer Oven	9 VAC 5-80-720 C		3.0 MMBtu/hr
W03	Line 3 Washer Oven	9 VAC 5-80-720 C		3.0 MMBtu/hr
W04/05	Line 4/5 Combined Washer Oven	9 VAC 5-80-720 C		2.5 MMBtu/hr
OV Tank	Overvarnish Coating Tank 12,000 gallons	9 VAC 5-80-720 B	VOC	
IC Tank	Internal Coating Tank 12,000 gallons	9 VAC 5-80-720 B	VOC	
BC Tank	Basecoat Tank 12,000 gallons	9 VAC 5-80-720 B	VOC	
GO	Grieve Oven for Drying Internal Coating Paste (not currently in use)	9 VAC 5-80-720 B	VOC	
Evap	Propane to NG Evaporator	9 VAC 5-80-720 B	N/A	
WTS	Wastewater Treatment System	9 VAC 5-80-720 B	VOC	
UO Tank	Used Oil Tank 10,000 gallons	9 VAC 5-80-720 B	VOC	
BO1	Bulk Oil Tank #1 10,000 gallons	9 VAC 5-80-720 B	VOC	
BO2	Bulk Oil Tank #2 10,000 gallons	9 VAC 5-80-720 B	VOC	
P1	Propane Tank 30,000 gallons	9 VAC 5-80-720 B	VOC	
P2	Propane Tank 30,000 gallons	9 VAC 5-80-720 B	VOC	

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
TT	Trabon Lube Tank 2,000 gallons	9 VAC 5-80-720 B	VOC	
MC1	Mist Collector for Lines 4 & 5 15,750 ACFM	9 VAC 5-80-720 B	VOC and PM	
MC2	Mist Collector for Lines 2 & 3 15,750 ACFM	9 VAC 5-80-720 B	VOC and PM	
Fork	Propane Powered Fork / Lift Trucks and Equipment	9 VAC 5-80-720 A		
Heat	Natural Gas Comfort Space Heating Units	9 VAC 5-80-720 A		
Water	Natural Gas Hot Water Heaters	9 VAC 5-80-720 B	SO ₂ , NO _x , CO, PM, VOC	
06	Can Washers 0.470 million cans/hr	9 VAC 5-80-720 B	Sulfuric Acid Mist	

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

IX. Permit Shield & Inapplicable Requirements

37. Permit Shield & Inapplicable Requirements - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 60, Subpart D	Standards of Performance for Fossil-Fuel-Fired Steam Generators	This requirement does not apply to Emission Unit B1 (UNILUX Boilers). These units are each rated at less than 250 MMBtu/hr.
40 CFR 60, Subpart Db	Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units	This requirement does not apply to Emission Unit B1 (UNILUX Boilers). These units are each rated at less than 100 MMBtu/hr.
40 CFR 60, Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	This requirement does not apply to Emission Unit B1 (UNILUX Boilers). These units are each rated at less than 10 MMBtu/hr.
40 CFR 60, Subpart Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	This requirement does not apply to any of the tanks listed as insignificant. The tanks are either smaller in size than 75 m ³ (20,000 gallons) or were installed prior to the applicability date of July 23, 1984.
40 CFR 63, Subpart KKKK	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans	This requirement does not apply to this beverage can coating facility. The permit includes federally enforceable limits on facility-wide HAP emissions to ensure the source's status as a synthetic minor (area) source.
40 CFR 63, Subpart DDDDD	National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters	This requirement does not apply to Emission Unit B1 (UNILUX Boilers). The permit includes federally enforceable limits on facility-wide HAP emissions to ensure the source's status as a synthetic minor (area) source.
40 CFR 63, Subpart JJJJJ	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers - Area Sources	This requirement does not apply to Emission Unit B1 (UNILUX Boilers). The hot water boilers are gas-fired and, therefore, are not subject to this subpart.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9 VAC 5-80-140)

X. General Conditions

38. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)
39. **General Conditions - Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
40. **General Conditions - Permit Expiration** - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
41. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
42. **General Conditions - Permit Expiration** - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
43. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
44. **General Conditions - Permit Expiration** - The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)
45. **General Conditions - Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
- a. The date, place as defined in the permit, and time of sampling or measurements;
 - b. The date(s) analyses were performed;
 - c. The company or entity that performed the analyses;
 - d. The analytical techniques or methods used;

- e. The results of such analyses; and
- f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

46. **General Conditions - Recordkeeping and Reporting** - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

47. **General Conditions - Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31; and
- b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - i. Exceedance of emissions limitations or operational restrictions;
 - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

48. **General Conditions - Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31;
- b. The identification of each term or condition of the permit that is the basis of the certification;
- c. The compliance status;
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;

- e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;
- f. Such other facts as the permit may require to determine the compliance status of the source; and
- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov

(9 VAC 5-80-110 K.5)

- 49. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Director, Tidewater Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition 47 of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)
- 50. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Tidewater Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Regional Office.
(9 VAC 5-20-180 C)
- 51. **General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)
- 52. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)
- 53. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)
- 54. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9 VAC 5-80-190 and 9 VAC 5-80-260)

55. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)
56. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)
57. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)
58. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9 VAC 5-80-2310 through 9 VAC 5-80-2350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. The amount of the annual permit maintenance fee shall be the largest applicable base permit maintenance fee amount from Table 8-11A in 9 VAC 5-80-2340, adjusted annually by the change in the Consumer Price Index.
(9 VAC 5-80-110 H, 9 VAC 5-80-340 C, and 9 VAC 5-80-2340 B)
59. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:
- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
 - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
 - c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
 - d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
 - e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.
- (9 VAC 5-50-90)

60. **General Conditions - Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9 VAC 5-50-20 E)
61. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.
(9 VAC 5-80-110 J)
62. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:
 - a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
 - b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
 - d. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.
(9 VAC 5-80-110 K.2)
63. **General Conditions - Reopening For Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F. The conditions for reopening a permit are as follows:
 - a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
 - c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.
(9 VAC 5-80-110 L)
64. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9 VAC 5-80-150 E)

65. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
66. **General Conditions - Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
67. **General Conditions - Transfer of Permits** - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
68. **General Conditions - Malfunction as an Affirmative Defense** - A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements stated in Condition 69 are met.
(9 VAC 5-80-250)
69. **General Conditions - Malfunction as an Affirmative Defense** - The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
- a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
(9 VAC 5-80-250)
70. **General Conditions - Malfunction as an Affirmative Defense** - In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
(9 VAC 5-80-250)
71. **General Conditions - Malfunction as an Affirmative Defense** - The provisions of Conditions 68 to 70 are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.
(9 VAC 5-80-250)

72. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.
(9 VAC 5-80-190 C and 9 VAC 5-80-260)
73. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-80 E)
74. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)
75. **General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)
76. **General Conditions - Accidental Release Prevention** - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)
77. **General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)
78. **General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
- a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
 - b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
 - c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.
(9 VAC 5-80-110 I)

XI. State-Only Enforceable Requirements

79. **State-Only Enforceable Requirements** - The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.
- 9 VAC 5, Chapter 50, Part II, Article 2: New and Modified Source Standards for Odor (Rule 5-2)
- 9 VAC 5, Chapter 60, Part II, Article 5: New and Modified Source Standards for Toxic Pollutants (Rule 6-5)
- (9 VAC 5-80-110 N and 9 VAC 5-80-300)